IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl.Misc.No.51531-M of 2006

DATE OF DECISION: SEPTEMBER 12, 2006

Prem Chand

.....PETITIONER

VERSUS

State of Punjab

.....RESPONDENT

CORAM : HON'BLE MR. JUSTICE SATISH KUMAR MITTAL

Present: Mr.G.P.S.Bal, Advocate,
for the petitioner.
Mr.N.S.Gill, AAG, Punjab.

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Petitioner Prem Chand apprehending his arrest in a non-bailable offence in case FIR No.129 dated 5.7.2006 registered under Sections 324/323/452/506/380/148/149 IPC at Police Station Mahilpur, District Hoshiarpur, has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail.

I have heard the counsel for the parties.

In this case three injuries have been received by Balwinder Singh and four injuries by Harnek Singh. Out of the three injuries caused to Balwinder Singh, two are grievous and all the four injuries have been caused by sharp edged weapon. As per the version given in the FIR, petitioner Prem Chand and Jaswinder Singh after pushing the door of the room of the tubewell of the complainant, entered into the house and dragged out Harnek Singh, injured, who was sleeping in the court-yard. Thereafter, Jaswinder Singh son of Jagtar Singh, Jaswinder Singh son of Kartara Ram

and the petitioner caused injuries to Harnek Singh with their respective kirpans. As per the version, Prem Chand gave kirpan blow on the chest of Harnek Singh, as a result of which he fell down. Counsel for the petitioner contends that the said injury was found to be simple in nature.

Even if the aforesaid injury has been described as simple in nature, but keeping in view the aforesaid facts and the manner in which the crime has been committed, I am not inclined to grant anticipatory bail to the petitioner.

Dismissed.

September 12, 2006 (SATISH KUMAR MITTAL)
vkg JUDGE